

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

REBECCA WOOD

Plaintiff,

Case No.

v.

THE UNITED STATES OF AMERICA,

Serve: Office of U.S Attorney General
Merrick B. Garland
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington DC 25030-0001

Serve: Office of United States Attorney
Sayler A. Fleming
Thomas Eagleton U.S. Courthouse
111 S. 10th Street, 20th Floor
St. Louis, MO 63102

Serve: Dennis McGuire
Department of Veterans Affairs
Office of Chief Counsel
441 Wolf Ledges Parkway, Suite 403
Akron, OH 44311

Defendant.

COMPLAINT

Plaintiff, for her cause of action against Defendant state as follows:

1. Plaintiff is a resident of the State of Missouri.
2. Plaintiff brings this action pursuant to 28 U.S.C. § 2671, et seq., the Federal Tort Claims Act.
3. All administrative remedies have been timely filed, pursued, and exhausted pursuant to 28 U.S.C. § 2671-2675.

4. At all times mentioned herein, John J. Cochran Veterans Hospital was an institution operated by the United States of America and, at all times mentioned herein, was acted through its employees, agents, and or servants within the course and scope of their employment with the United States of America at the time of the incident out of which this suit arises.

5. Defendant United States of America is subject to this Court's supplemental jurisdiction, pursuant to 28 U.S.C. § 1367.

6. On February 9, 2020, Plaintiff was walking around a hospital bed when she tripped and fell over lead lines of a heart monitor causing her to fall and hit a sink injuring Plaintiff as more fully set out below.

7. Defendant knew or by using ordinary care could have known of the lead lines on the floor and that it created a hazardous and unsafe condition in the area.

8. Defendant knew or by using ordinary care could have known of this unsafe condition.

9. Defendant failed to use ordinary care to remedy, barricade or warn of the condition.

As a direct result of the negligence of Defendant as aforesaid, Plaintiff sustained injury to her right hand, right elbow, right arm, head, neck and knees; she has incurred medical expenses in excess of \$22,000.00; her ability to work, labor and enjoy life has been and will in the future be impaired, all to her damage.

WHEREFORE, Plaintiff pray judgment against Defendant in an amount that is fair and reasonable, in excess of the minimum jurisdiction of this together with costs expended herein, and for such other relief as the Court considers proper under the circumstances.

THE S.E. FARRIS LAW FIRM

/s/ Spencer E. Farris

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